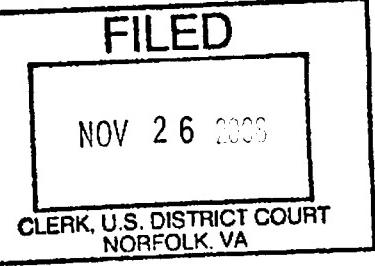


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Newport News Division

ROSARIO FIORANI,



Plaintiff,

v.

ACTION NO. 4:08cv109

1ST ADVANTAGE FEDERAL CREDIT UNION,
MS. ELIZABETH GAVIN,
MELANIE DOE,
(no last name given),
REPO TRANS NET TOWING,
KATHY DOE,
(no last name given),
JIM DOE,
(last name not given),

Defendants.

ORDER

By Order entered November 14, 2008, the Court granted Plaintiff *in forma pauperis* status and ordered the Complaint served. However, on that same day, Plaintiff advised the Clerk that he had made corrections to his Complaint and would be submitting an Amended Complaint to replace the original Complaint. Plaintiff has filed his Amended Complaint. The Amended Complaint no longer lists Jim Doe as a Defendant to this action. Accordingly, Jim Doe is DISMISSED as a Defendant.

The Defendants are REQUESTED to return the enclosed Waiver of Service within thirty (30) days from the date of this Order. If Defendants choose to return the enclosed Waiver of Service within the thirty-day period, they are ORDERED to file responsive pleadings or appropriate motions to Plaintiff's Complaint within sixty (60) days from the date set forth on the

enclosed Notice of Lawsuit. Defendants are REMINDED they are obligated under Fed. R. Civ. P. 4(d) to avoid the cost of unnecessary service of summons. Accordingly, if Defendants choose not to return the Waiver of Service within thirty (30) days and respond to the Complaint within sixty (60) days, they will be required to show cause why they should not be required to bear the cost of service of a summons. If Defendants fail to waive service of summons, the Clerk is **ORDERED** to issue summons and the United States Marshal shall serve the Defendants.

Plaintiff is REMINDED of the requirements of Rule 5 of the Federal Rules of Civil Procedure. Plaintiff must serve a copy of every pleading and every written motion, notice and similar papers on all parties. Service shall be made by mailing a copy of the document to the party's attorney. If a party is not represented by counsel, Plaintiff must mail a copy directly to that party. Plaintiff is ADVISED that no document submitted by him will be filed in or considered by the Court unless he also attaches a certificate stating that Plaintiff has served or mailed copies of the document to all counsel or, if parties are not represented by counsel, the parties themselves. The certificate should also show the date and manner of service. The Court has enclosed a sample Certificate of Service that Plaintiff may copy and use for this purpose.

The Clerk is **DIRECTED** to send a copy of this Order and the sample Certificate of Service to Plaintiff, and a copy of this Order, a copy of Plaintiff's Complaint, a copy of the Notice of Lawsuit and two (2) copies of the Waiver of Service to Defendants.

IT IS SO ORDERED.



/s/
Raymond A. Jackson
United States District Judge

Norfolk, Virginia
November 26, 2008